previous

App F IX 4

Previous References 1940 (ML)

File No 39 38

Serial Nos 22, 23

Later References

GENERAL AND REVENUE SECRETARIAT.

Serial Nos 3

Part B for Dec 40

SUBJECT

Disposal of Sites in the Hosahalli Western extension in the Mandya Town

WD 0573—GPB—22,500—12 9 39

To,
The D C Mandya Dt
The Comptroller
The Dir of P H
L 4409-11 dy Dec 6, 40

2146)

Sets aside the sale of the sites and directs that they should be redisposed of in public auction

17/12/40

G R S APP F III—1]

5358

GENERAL AND REVENUE SECRETARIAT

(Rev)

NOTES

Rev File No 39 38

FILE HEADING

Pekhans

FROM

The Ratepayers of mauza Dawn Municipality

No Dated 31 3 39 Received 3 4 39

Diary No 5358 | Enclos | Spare copies | Serial No 22

BRIEF ABSTRACT OF LETTER

States that a plot in the Hosahalli western Extension, originally reserved for the Tk Office buildings has been divided into sites and that some rich and influential men have secured the same Request that the sale of the sites should be advertised and carried out by public auction

NOTES AND ORDERS

Secretary's orders thereon

1) " A report may be called for from the D C (Rev) P S K 5/4/39

2) Sealed with a double one
13/4/39

3) Issued
2
12/4/-

Issued no L 8344 of 15 4 39.

TYPING 1 GEN & CTT

Encl 23

NOTES—First Sheet

WD 0283—GPB—S 0—2 1 88

Petn from the rate payers of Mandya Town re disposal of certain sites in the Hosahalli Western Extension

1939

File No 39 of 1938

General and Revenue Secretariat

From the D C Mandya
Con 33/40 41 D 18-10-40
Forwards the report called for

4) The DC reports that the sites in question were disposed of in a manner suggesting that the whole affair has been so engineered by the Municipal Councillors as to help themselves or their friends (→ vide para 8 of the report)

5) Pending orders of Govt on the subject the D C has directed that confirmation of the sale should be withheld

Subd
By 23/10

6) The Mc Council Mandya passed a resolution on 24 2 1939 stating that the site which was reserved for the construction of the Sy office on the Hosahalli Road Western Extension might be disposed of, for House Sites at upset price and authorising the president & vice president to allot the same among the applicants who were keen on putting up decent buildings. This resolution also purported to supersede or modify the previous resolution which they had passed, requiring that all the sites exceeding 300 Rs in value should be sold in public auction

7) Accordingly the president & vice president who constituted themselves as the Sub Committee

Hag H

Serial No

allotted fee ten sits to ten persons out

Flag L

of the 18 applicants at an upset price of 6 annas per Sq yard The reason given for granting the sits at upset price in this manner was to dispose of the sits to persons who were really keen on putting up decent buildings and not to allow speculators to purchase them in public auction, who would attempt to make some money by further transactions But this reason dos not seem to be very convincing A suitable condition could have been laid down, even in the terms of sale, to prevent such speculation

8) The DC reports that the proceedings

b & c Flag L & M

of this Sub-committee have not been confirmed by the Md Council & in fact they never came up before the Council for confirmation He is of opinion that 6 annas per Sq yard is too low & the sits would have fetched a price of 1-8-0 to 2-0-0 in sale & in any case, not one Rupee per Sq yard would have been easily realised The President (Mr G N Nagaraja Rao)

Flag A

has reported that, at the time the Md Council resolved to grant the sits at upset price, the value of the sits had increased enormously as Mandya was to be the Dr Head Quarters from 1 7 1939

NOTE—Contn Sheet

9 Further it is reported that many of

the grantees are either related to some of the ml Councillors or are influential men or interested in them the exact nature of relationship or interestedness is set forth in detail in the DC's report

It is stated that the disposal of sits has been done both under lease & without proper & sufficient publicity so that the public had no knowledge of the disposal of the sits & that it is clear that some of the Councillors have tried to use their position in the Council for their own selfish ends In the President's report dated 2 10 36, it is stated that the grant made to messrs Sowrthamma, Channiah & M K Subbiah appear to be Benami transactions as they are dependents of some of the ml Councillors

(2) It is therefore recommended that the grant made might be vetoed & sits ordered to be redisposed of otherwise

(1) As against this, the ml Councillors appear to contend that the upset price of 6 as is not low, that it was the current rate prevailing in that extension then & that many of the sits have been sold for 6 as & even less & therefore the municipality has not been put to any loss by such grant

(3) The report of the President dated 8 9 39

1959

Disposal of Sites on Hosahalli Western extension on Mandya

General and Revenue Secretariat | M(File No 39 of 1938 | [App F III-2

Serial No

and the rule Council resolutions passed on 20.7.40 are to this effect & are may be perused. They have also enclosed a statement of the sites sold and the prices realised in Bannur Road extension from which it is seen that those sites have not fetched more than 6 annas per Sq yard But then, the date of purchase were in 1936 & 1938 very much before the date of present grant Beyond whether the Bannur Road Extension and Hosahalli Road western extn are the same or different is not also stated

13) So to make matters clear, a detailed statement of all the sites that have been disposed of in this particular Hosahalli Road Extension, whether on sale or at upset price, & the amounts realised & their extent, might perhaps be called for to know definitely whether the sites have been very much undervalued ~~Position~~, If approved, the site plan of the extension may also be called for

Please flag prov. only

(Land Secy)

13 11 40

14) 'A' may be done

II Member)

15) We do not think this may be accepted At a later stage 14/11/40

Hm 21/11/40

15/11/40

Hm 21/11/40

Order may issue but the reasons may be recorded

3317 13/11

OFFICE OF THE SECY TO MEM 15 NOV 1940 4781

NOTE—Contn Sheet

1959 Disposal of sales on the Hosahalli Western extension Canal

File No 39 of 1938 | General and Revenue Secretariat

Serial No

(6) Sale proceedings submitted for approval

SC 25 11 40 (7) A typed draft proceedings is submitted for approval Refer para 15 supra

SC 27 11 40 (8) For favour of approval

Law Secy)

28 11-40

II Member)

30/11

2 12 40

5435

TYPING SEC 7 DEC 1940 REN & REV

For the DC Manager

The Compln

The date of O H

1 to 6 dated 4 & 6 12 40 3/12/40

Directs that the sale of sales may be set aside etc

Mm.39-38-22 3358

(2)

SECY TO GOVT OF MYSORE

OFFICE OF THE DEWAN

PRIVATE SECRETARY
TO DEWAN OF MYSORE.

The Dewan of Mysore,

BANGALORE

Sir,

The undersigned rate-payers of Kancya Town Municipality beg to bring to your kind notice the following facts and request you to take such action as you may deem just and equitable under the circumstances -

2 A plot in the Hosahalli Western Extension opposite to the present water tank, originally reserved for the Taluq Office Buildings has, we understand, been divided into ten sites 62½ x 117½' each and allotted to various gentlemen by the President of the Municipality We further understand that this allotment is made by him in persuance of the power delegated to him therefor by the Municipal Council Rumour has it that some rich and influential men have secured these sites in the above allotment

3 It would interest you to know that the neighbouring sites were sold by public auction by Mr E V Ganapathi Iyer, the then President of the Municipality, each site fetching some where between Rs 500/- to Rs 900/- Those sites were, of course, 70' x 117½'; but you will easily see that this difference in area is not very material in view of the fact that the present allotment is at an upset price of Rs 302/-each

4 There is, we understand, a Resolution passed by the Municipality some time back that sites likely to fetch more than Rs 300/- should not be allotted, but sold by public auction

(contd

1959 Disposal of sales in the Hosahalli Western extension Manuja

File No 39 of 1938 | General and Revenue Secretariat

Serial No

Dft G.O. submitted for approval

25 11 40 17) A typed draft go is submitted for approval Refer para 15 supra

7 11 40 (5) For favour of approval

Land Secy)

28 11-40

II Member)

30/11

2 12 40

5435

TYPING BRN & REC

For the Dy Manager

The Compln

The date of O H

L dt 6 12 40 3/12/40

Directs that the sale of sales may be set aside etc

Remaining to Govt. M.L.S.A. Dept
Circle complaints
Mr

M.L.39-38-22 3358

SECY TO GOVT OF MYSORE SELF GOVT 5 A 1939

OFFICE OF THE DEWAN
Date 3.4.39
Para R V 3017

(2)

A report may be called for from me

PRIVATE SECRETARY
TO DEWAN OF MYSORE.

The Dewan of Mysore,

BANGALORE

Sir,

The undersigned rate-payers of Kancya Town Municipality beg to bring to your kind notice the following facts and request you to take such action as you may deem just and equitable under the circumstances -

2 A plot in the Hosahalli Western Extension opposite to the present water tank, originally reserved for the Taluq Office Buildings has, we understand, been divided into ten sites 62½ x 117½' each and allotted to various gentlemen by the President of the Municipality We further understand that this allotment is made by him in persuance of the power delegated to him therefor by the Municipal Council Rumour has it that some rich and influential men have secured these sites in the above allotment

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4 There is, we understand, a Resolution passed by the Municipality some time back that sites likely to fetch more than Rs 300/- should not be allotted, but sold by public auction

(contd)

(3)

5 The present sites, if thrown open to public auction are sure to fetch substantially more money and the Municipality will obviously stand to benefit by the adoption of such a procedure Moreover, this method will remove any apprehensions and misconceptions, in the minds of the public

6 It is very necessary in the interests of the fair name and reputation of the Municipality - not to mention the benefit and justice - that these sites should be widely advertised for sale and sold by public auction

We beg to remain,
Sir,
Yours faithfully,

Mandya,
Dated 31st March 1939

J N Viswanadham
Lawyer Mandya

B Venkatarama Rao Pleader
Mandya

D Subba Rao Mandya

G Leigh Pleader Mandya

Advocate

Venkatachalam
advocate

S Raghavendrachar
Advocate

G J Shivanappa

Jul 39.3 K-23

App F G 9]

GOVT OF H H THE MAHARAJA
OF MYSORE

GEN & REV SECRETARIAT

OFFICIAL MEMORANDUM

No L8344 Dtd 15-4-1939
addressed the Dewan

The accompanying Petition, Registered
No 535 8/L dated 8 4 39
received at the General and Revenue
Secretariat from Certain Ratepayers
of Ramanja Town Municipality
in regard to the disposal
of certain sites in the
Hosahalli western extension.

is forwarded ~~together~~ with ~~its enclosures~~ Complete
to the D C Mysore Dk

for favour
of a report The petition may
be kindly returned with
the report

By Order
2
12/4/-
Secretary L 594

BANGALORE
14/1939

~~P T O~~

WD 0188—GPB—1 500—4 9 34

ಅರ್ಜಿದಾರ್ ತಾಲ್ಲೂಕು

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ರವರ ಬಳಿಗೆ ಕಳುಹಿಸಿದೆ

ಬೆಂಗಳೂರು

By Order,

Secretary

19

OFFICE OF THE DEPUTY COMMISSIONER
MANDYA DISTRICT

No Con 33/40-41
Encls one file & one Sealed Cover

Mandya Dated 18th October *1940*

FROM

B S Raghavendra Rao, Fsq , M A (Hons)
DEPUTY COMMISSIONFR
Mandya District Mandya

Hm 2 22/10/4

To

Early 22/10/40

H V Narayana Rao, Fsq , B A , LL B ,
Secretary to the Government of His Highness the Maharaja of Mysore,
Law Department, Bangalore

SIR,

1517

With reference to your letter No L 8344/Wl 39-38-23/Encl One, Bangalore, dated 15th April 1939 forwarding for report petition No 5358 addressed to the Dewan from certain rate-payers of Mandya town Municipality in regard to the disposal of certain sites in Hosahalli Western extension, I have the honour to forward herewith reports No H C 26/40-41 dated 23rd August 1940, Mis Pet 102/38-39 dated ~~XXXXXXX~~ 8-9-1939 and Mis Pet 30/39-40 dated 27th October 1939 and the connected records from the President, Mandya Town Municipality to state as follows - I have also enclosed in a sealed cover the personal opinion of Mr G N Nagaraja Rao

2 In Hosahalli Road Western Extension a site measuring 312½ Yards X 235 Yards had been ear-marked for the construction of the Taluk Office building in the town plan Since the question of construction of the Taluk Office building was dropped, the site appears to have been sub-divided into building sites with the approval of Mr G H Krumbeigal, Consulting Architect, who had come to Mandya on 23rd December 1938 The formation and mode of disposal of these sites had first to go before the Town Improvement Committee but this too was not done Approval of the Sanitary Engineer or Government to the formation of these sites does not appear to have been obtained

3 After the formation of the sites, no notification regarding their disposal appears to have been received But, inspite of this, 18 applications for sites as noted in the list enclosed were received The date of receipt of applications are noted against

each There has been no publicity at all regarding the availability of the sites and the applications appear to have been received only from the fortunate few, who happened to know about this In the meanwhile, Municipal Councillors, Messrs Srinivasiah and Venkatagiriah, who had applied for sites and three others, Messrs V C Jinnappa, M B Boregowda and M L Linganna sent a subject stating that the sites should not be disposed of by auction but should be allotted by the President and the Vice-President to persons who are not speculators but who will build houses immediately and the sites granted for an upset price

4 In the Municipal meeting held on 24th February 1939, this subject came up for discussion and the Council resolved that the President and the Vice-Pre ident may give away these sites for upset price, as the sites now disposed off in public auction have mostly been purchased by speculators, who are not keen on putting up decent buildings in the stipulated time The upset price was also not fixed

5 According to the resolution noted above, the President and the Vice-President appear to have met on 25th March 1939 and allotted sites to

Messrs
1 M A K Swami,
2 Channiah,
3 M A Narayana Iyengar,
4 Savithramma,
5 Agrahar Venkatachar,
6 M K Subbiah,
7 Raja Rao
8 T V Krishnamachar,
9 Chikkalingiah and
10 Mr Shamanna

and fixed the upset price at As 6/- per Square Yard

6 It is rather curious that the decision of this Sub-Committee never came up also for confirmation by the Municipal Council and has not been confirmed at all

7 Regarding the grants made by the Sub-Committee which is the subject matter of the complaint, it is quite true that some of the grantees are either related to some of the Municipal Councillors or influential with Municipal Councillors as per details below

1 Mr M A K Swami - He is the brother of Mr M A Srinivasan, Municipal President, Mysore, and now on deputation in British India

Persons related to Municipal Councillors -

2 Mr Channiah - He is the brother-in-law " of Mr Honniah, Vice-President and Member of the Sub-Committee formed to allot sites His wife and wife of Mr Honniah are sisters His address is care of Mr Honniah, Ex-Vice-President

3 Mr M A Narayana Iyengar - He is the father-in-law of the present Vice-President, Mr N A Singlachar He is alleged to be the adopted father of Mr N A Singlachar's wife Mr N A Singlachar states that he is the cousin-brother of his father-in-law

4 Mrs Savithramma - She is the sister of Mr Anantharama-bhatta, a prominent Municipal Councillor This is the Municipal Councillor, who suggested that all the sites should be given away for an upset price

5 Mr Agrahar Venkatachar - He is the father-in-law of Mr M A Anandalwar, Municipal Councillor He, Mr Singlachar, Mr Anantharama-bhatta and Mr Honniah were the leaders in the Municipal Council

6 Mr M K Subbiah - He is the nephew of Mr Venkatagiriah, who was the Municipal Councillor at that time The relationship is admitted Mr Venkatagiriah was one of those who sponsored the proposition requiring grant of sites for an upset price

Persons who were influential with the Municipal Councillors -

7 Mr Raja Rao - He, it is alleged, has influence with the Municipal Councillors

8 Mr T V Krishnamachar - He was at the time of grant an accountant in Indian Banking and Trading Corporation of which Mr N A Singlachar was the Managing Director He is now in Mysore Bank

Persons who were given sites on account of the sites resumed -

9 Mr K Chikkalingi h - This is the President of the Mandya

Congress Committee He had once been given a site but the grant was cancelled and the site sold for a higher price The present grant is presumably in exchange for the one resumed

10 Mr Shamanna - He had once been given a site which was resumed As he threatened, he has been given sites in exchange now

8 The inference, therefore, that the whole affair has been so engineered by the Municipal Councillors as to help themelves or their friends appear irresistable

9 With regard to the allegations made in the petition that the sites have been disposed of at a very low price, I must state that I am in entire agreement with the petitioners These sites are in a very prominent locality and I am confident that if they had been put up for public auction, they might certainly have been sold at least Re 1/- a Square Yard and perhaps if a rate between Rs 1-8-0 to Rs 2-0-0 per Square Yard could have been easily realised I may mention that when sites were disposed of recently in Bannur Road extension, the average rate realised was Rs 1-10-8 per Square Yard and the maximum was Rs 1-14-8 per Square Yard Considering that the sites in question were in a most prominent locality, pr ctically facing the School Block and open grounds, they would certainly have fetched a fancy price The upset price of As 6/-, therefore, at which these sites have been sold, is miserably low.

10 On receipt of this file from the Mysore District, I had also an informal talk with most of the Municipal Councillors and explained the seriousness of the position and told them that their action would certainly be misconstrued and that even at that stage they might anrul the grant They agreed before me that they would review this matter They also agreed that this site could be given over for the construction of Hostels for which there was demand and that the persons that had been given sites at upset price might be given suitable sites elsewhere

11 Subsequently, however, on the transfer of Mr Heerappa, they seem to have changed their mind and passed the resolution enclosed

at their meeting on 20th July 1940 that a reply may be sent setting forth the rate at which the neighbouring sites have been sold in auction during the year 1938-39 in that vicinity This resolution cannot it seems to me be supported at all

12 I have, therefore, directed that pending final orders of Government the sales should not be confirmed and they have, therefore, not been confirmed yet Early orders are, therefore, solicited in the matter

13 In this connection, I wish to state that even when this matter was under enquiry, the Municipal Councillors have made grant of two more sites in the same locality to Mr K Shankaranarayana Rao and Dr D K Manjunath at As 6/- per Square Yard I have issued orders that even in this case the sales could not be confirmed and that the orders passed in the above case by Government will apply to this also

I have the honour to be,
Sir,
Your most obedient servant,

B S Nagavendra Rao

Deputy Commissioner,
Mandya District 18/10

L 4409-11 / Mr 39 38 46

Dy 6th Dec 1940

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

Read - Petition dated 31st March 1939 from certain rate-payers of the Mandya Town Municipality bringing to notice that the plot of land in the Hosahalli Western Extension of the Town originally reserved for the construction of the Taluk office building has been divided into sites and that these sites have been allotted to certain rich and influential gentlemen and suggesting that it is necessary in the interests of the Municipality that these sites should be disposed of by public auction after widely advertising the sale

2 Correspondence ending with letter No Con 33/40-41 dated 18th October 1940 from the Deputy Commissioner Mandya District submitting for orders a detailed report in the matter

---

O R D E R N O

Dated Bangalore Nov 1940

A site measuring 312½ x 235 Sq yards in the Hosahalli Road Western Extension Mandya, had been set apart for the construction of the Taluk office building ~~according to the town plan~~ As the question of constructing the Taluk office building on the said site was dropped ~~the site~~ it was subdivided into ten building sites by the Mandya Town Municipal Council

They resolved at the meeting held on 24th February 1939 to dispose of the sites at upset price authorising the

the President and the Vice President of the Municipal Council to allot them among applicants who were keen on putting up decent buildings Accordingly the President and the Vice President who constituted themselves as a sub-committee allotted the sites to ten persons out of the 18 applicants at an upset price of 6 annas per sq yard Neither the Sanitary Engineer nor the Town Improvement Committee appear to have been consulted in the matter of the formation of the sites

The Deputy Commissioner reports that the upset price of 6 annas per sq yard is too low that the sites would have fetched a price of Rs 1-8-0 or Rs 2/- per Sq yard and in any case not less than one rupee per sq yard in auction since the value of the sites at the time the resolution was passed by the Municipal Council had considerably increased as Mandya was to be the Head-quarters of a District from 1st July 1939

The Deputy Commissioner also states that many of the grantees are either related to some of the Municipal Councillors or are interested in them

On a careful consideration of all the facts of the case, Government regret to observe that the disposal of the sites in question has been done with undue haste and without proper and sufficient publicity and the procedure adopted

~~for the same~~ is not in accordance with rules

In the circumstances, Government are pleased to direct that the sale of the sites in question be set aside and action taken to redispose them of by public auction after observing the necessary formalities

30/11

Secretary to Government
Law Department

To
The Deputy Commissioner Mandya District with records
The Comptroller to Government of Mysore
The Director of Public Health in Mysore

GG/

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

Read —

Petition dated 31st March 1939 from certain rate-payers of the Mandya Town Municipality bringing to notice that the plot of land in the Hosanalli Western Extension of the Town originally reserved for the construction of the Taluk Office building has been divided into sites and that these sites have been allotted to certain rich and influential gentlemen and suggesting that it is necessary in the interests of the Municipality that these sites should be disposed of by public auction, after widely advertising the sale

Correspondence ending with letter No Con 33/40-41 dated 18th October 1940 from the Deputy Commissioner, Mandya District submitting for orders a detailed report in the matter

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ORDER NO L 4409-11/mcl 39 38-46

BANGALORE DATED 6th DECEMBER 1940

A site measuring 312½ x 235 square yards in the Hosahalli Road Western Extension, Mandya, had been set apart for the construction of the Taluk Office building As the question of constructing the Taluk Office building on the said site was dropped, it was subdivided into ten building sites by the Mandya Town Municipal Council

They resolved at the meeting held on 24th February 1939 to dispose of the sites at upset price, authorising the President and the Vice President of the Municipal Council to allot them among applicants who were keen on putting up decent buildings According

P T O

Accordingly the President and the Vice President who constituted themselves as a sub-committee allotted the sites to ten persons out of the 18 applicants at an upset price of 6 annas per square yard Neither the Sanitary Engineer nor the Town Improvement Committee appear to have been consulted in the matter of the formation of the sites

The Deputy Commissioner reports that the upset price of 6 annas per square yard is too low that the sites would have fetched a price of Rs 1-8-0 or Re 2/- per square yard and in any case, not less than one rupee per square yard, in auction since the value of the sites at the time the resolution was passed b the Municipal Council had considerably increased as Mandya was to be the head-quarters of a District from 1st July 1939

The Deputy Commissioner also states that many of the grantees are either related to some of the Municipal Councillors or are interested in them

On a careful consideration of all the facts of the case Government regret to observe that the disposal of the sites in question has been done with undue haste and without proper and sufficient publicity and the procedure adopted is not in accordance with rules

In the circumstances Government are pleased to direct that the sale of the sites in question be set aside and action taken to redispose them of by public auction after observing the necessary formalities

Secretary to Government
Law Department

To

The Deputy Commissioner, Mandya District (with records)
" Comptroller to the Government of Mysore
" Director of Public Health in Mysore

NDA 5